

This Page Is Inserted by IFW Operations
and is not a part of the Official Record

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

IMAGES ARE BEST AVAILABLE COPY.

**As rescanning documents *will not* correct images,
please do not report the images to the
Image Problem Mailbox.**

Express Mail Lab 1 No.: EV328708265US

Date of Deposit: January 29, 2003

Attorney Docket No. 20363-021 (DANA-21) u s

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below my name.

I believe I am an original, first and joint inventor which is claimed and for which a utility patent is sought on the invention entitled:

BH3 PEPTIDES AND METHODS OF USE THEREOF

the specification of which was filed on September 9, 2003 as United States non-provisional application U.S.S.N. 10/658,028, bearing Attorney Docket No. 20363-021 (DANA-21).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

- ☒ I hereby claim the benefit under Title 35, United States Code, § 119(e) or §120 of any United States application(s), or §365(c) of any PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

Application No. (U.S.S.N.)	Filing Date (dd/mm/yy)	Status (Patented, Pending, Abandoned)
60/409,488	9 September 2002	Abandoned
60/495,036	14 August 2003	Pending

PCT International Applications designating the United States:

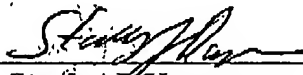
PCT Appln No.	PCT Filing Date	Status

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

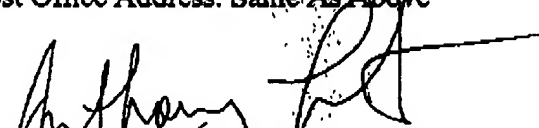
Customer No. 30623

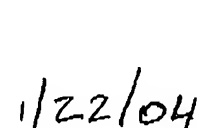
Address all telephone calls to Ivor R. Elrifi at telephone number 617/542-6000.
Address all correspondence to: **Customer No. 30623**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or patent issued thereon.


Inventor's Signature **Stanley J. Korsmeyer**
Full Name of Inventor: **Stanley Korsmeyer**
Citizenship: **United States**
Residence: **55 Loring Road, Weston MA 02493**
Post Office Address: **Same As Above**


Date


Inventor's Signature **Anthony Letai**
Full Name of Inventor: **Anthony Letai**
Citizenship: **United States**
Residence: **41 Flint Locke Lane, Medfield, MA 02052-1914**
Post Office Address: **Same As Above**


Date

TRA 1831093v2